



## Determination of the Competition Authority

### **Determination No. M/04/065 of the Competition Authority, dated 29 November 2004, under Section 21 of the Competition Act, 2002**

### **Notification No. M/04/065 – the proposal by Moet Hennessy SNC to acquire Glenmorangie plc**

#### **Introduction**

1. On 9 November 2004 the Competition Authority, in accordance with Section 18(1) of the Competition Act, 2002 ("the Act") was notified, on a mandatory basis, of a proposal whereby Moet Hennessy SNC ("Moet Hennessy"), through its wholly-owned subsidiary Moet Hennessy Investissements, would acquire the entire issued and to be issued share capital of Glenmorangie plc ("Glenmorangie"). The notified transaction is hereinafter described as "the proposed acquisition".
2. The proposed acquisition is international and is also being notified to the relevant competition authorities in Austria, Brazil, Germany, Italy and the United Kingdom.

#### **The Parties**

3. Moet Hennessy, the acquirer, is part of the French Moet Hennessy Group, which is active worldwide in the manufacture and supply of wines and alcoholic spirits. Moet Hennessy manufactures and supplies wine, champagne and cognac, which are sold under a number of well-known brands including Moet & Chandon, Veuve Clicquot, Dom Perignon and Hennessy. Moet Hennessy's sales in Ireland are made through three distributors. One distributor is a subsidiary of the Moet Hennessy Group, another is part owned by the Moet Hennessy Group, while the third is an independent third party distributor. Moet Hennessy's 2003 turnover in Ireland was €[...].
4. Glenmorangie, the target, is a U.K. publicly listed company that manufactures and supplies ranges of single malt and blended whisky. In Ireland Glenmorangie sells only single malt scotch whisky through an independent third party distributor. The company's 2003 turnover in Ireland was €[...].

#### **Analysis**

5. There is no horizontal or vertical overlap in Ireland between the business activities of Moet Hennessy and Glenmorangie. Moet Hennessy does not make or sell whisky, whereas whisky is the only alcoholic drink made or sold by Glenmorangie. Further, Glenmorangie's sales in Ireland are very minimal, in terms of the size



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of the total whisky sector. Therefore the proposed acquisition does not raise any competition concerns.

### **Determination**

The Competition Authority, in accordance with Section 21(2) of the Competition Act, 2002, has determined that, in its opinion, the proposed acquisition by Moët Hennessy of Glenmorangie will not result in a substantial lessening of competition in markets for goods and services in the State and, accordingly, that the acquisition may be put into effect.

### **For the Competition Authority**

**Edward Henneberry**  
**Member of the Competition Authority**